

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JESUS BROWN,

Plaintiff,

vs.

SGT. MILLIKAN, in their individual
capacities;

Defendant.

4:18CV3115

**MEMORANDUM
AND ORDER**

This matter is before the court on three motions filed by Plaintiff: (1) Motion to Amend to Change Defendant's Name ([filing no. 31](#)); (2) Motion to Add Andy Tran to Complaint ([filing no. 32](#)); and (3) Motion for Summons to issue on "Tony Tran" and "Andy Tran" ([filing no. 33](#)). The substance of these motions was addressed in the court's December 6, 2019 Memorandum and Order granting former Defendant Jonathan Chan's Motion for Summary Judgment and granting Plaintiff leave to file an amended complaint naming Andy Tran as a defendant. ([Filing No. 30](#).) Accordingly,

IT IS ORDERED that:

1. Plaintiff's motions (filing nos. [31](#), [32](#), & [33](#)) are denied as moot.
2. Plaintiff is reminded that he has until **January 6, 2020**, to file an amended complaint naming "Andy Tran" as a defendant in his individual capacity only.
3. Within **21 days** of the filing of an amended complaint naming him as a defendant, Andy Tran shall file a waiver of service and an answer or other

responsive pleading in accordance with defense counsel's representations to this court.

Dated this 11th day of December, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge